

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

KENNETH EUGENE THOMPSON,

Plaintiff,

vs.

CITY OF OMAHA - POLICE
DEPARTMENT,

Defendant.

8:21CV463

**MEMORANDUM
AND ORDER**

On June 2, 2022, after the court performed an initial review of Plaintiff's original Complaint, the court ordered Plaintiff to file an amended complaint within 30 days. (Filing 18.) The court warned Plaintiff that "[f]ailure to file an amended complaint within the time specified by the court will result in the court dismissing this case without further notice to Plaintiff." (Filing 18 at CM/ECF p. 5.) To date, Plaintiff has not filed an amended complaint as ordered.

Furthermore, Plaintiff has notified the court numerous times throughout this litigation of changes in his address (Filing 7; Docket Entry Dated 1/18/22; Filing 12; Filing 15), which Plaintiff is required to do pursuant to NEGenR 1.3(e) & (g) (attorney must notify court of address change within 30 days; parties proceeding pro se must comply with all local and federal procedural rules). The docket sheet for this case indicates that Plaintiff did not receive the court's Memorandum and Order allowing him to file an amended complaint (Filing 18) because he has been released from the Lincoln Community Corrections Center with no forwarding address. The Nebraska Department of Correctional Services inmate database, <https://dcs-inmatesearch.ne.gov/Corrections/InmateDisplayServlet?DcsId=214521&showInmateImage=true>, confirms that Plaintiff was released to post-release supervision on

June 5, 2022, and he has not notified this court of a change of address within 30 days.¹

Therefore, this matter must be dismissed for failure to prosecute this matter diligently and for failure to comply with this court's orders.

IT IS ORDERED:

1. This case is dismissed without prejudice for failure to prosecute this matter diligently and for failure to comply with this court's orders; and
2. Judgment shall be entered by separate document.

DATED this 13th day of July, 2022.

BY THE COURT:



Richard G. Kopf
Senior United States District Judge

¹ *Stutzka v. McCarville*, 420 F.3d 757, 760 n.2 (8th Cir. 2005) (courts “may take judicial notice of . . . public records”).